

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, **Ivys Rosado-Diaz**, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and have been so since May of 2015. I am a graduate of the Federal Law Enforcement Training Center, and the ATF National Academy in Glynco, GA. Prior to my employment with ATF, I was a Robbery Criminal Investigator for the Police of Puerto Rico, assigned to the ATF Task Force for approximately two years and six months. In total, I have approximately twenty (20) years of law enforcement experience, twelve as a Puerto Rico Police Agent and nine (9) as an ATF Special Agent. I have received training in crime scene investigations, and the identification and management of evidence. I have a bachelor's degree and a master's degree in criminal justice. I also have a Ph.D. in Public Service Leadership from Capella University in Minneapolis, MN.

2. Your affiant is an "an investigative or law enforcement officer of the United States" within the meaning of Section 2510 (7) of Title 18, United States Code. Your affiant is, therefore, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, the offenses enumerated in Section 2516 of Title 18, United States Code.

3. During my employment with the ATF, I have participated in weapons and narcotics investigations along with senior experienced SA's and Task Force Agents (TFAs). These investigations involved the unlawful possession of firearms, as well as importation, exportation, manufacture, possession with intent to distribute and distribution of narcotics (including cocaine, heroin, and crack cocaine, among other narcotics), and conspiracies associated with narcotic offenses. I also have vast experience in violent crime investigations, including homicides, robberies, home invasions, and carjackings.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

FACTS IN SUPPORT OF PROBABLE CAUSE

5. On April 14, 2025, at approximately 5:00pm, Puerto Rico Police Bureau (PRPB) agents assigned to the Guayama Criminal Investigations Division were in route to Pozuelo Ward, 9th street (in the District of Puerto Rico) to serve a summon related to an ongoing investigation.

6. When agents arrived at the end of 9th street, they observed two male subjects exiting from the side of a residence at the end of the cul-de-sac. PRPB agents stated observing both individuals armed. The subject wearing an orange t-shirt and a black ski mask was carrying a black pistol, while the other subject was carrying a firearm with a drum magazine.

7. PRPD agents stated they exited their vehicle with weapons drawn and identified themselves as the police and commanded the two individuals to drop the weapons. PRPB agents stated that the subjects turned away from them and the subject with orange t-shirt and ski mask discarded the firearm and the ski mask and remained on scene following officers' commands. The other subject placed the firearm in his waistband and fled the scene.

8. The subject with the orange t-shirt who remained on scene was identified as **Shamil ORTIZ-SANTA**.

9. PRPB agents recovered the following that was discarded by **ORTIZ-SANTA**:

- a. One (1) Glock pistol, model 17 9x19, 9mm caliber, serial number MS375US, with an automatic conversion device installed (known as a "CHIP").

- b. One (1) Glock pistol magazine, 9mm caliber, 17-round capacity.
- c. Seventeen (17) rounds of 9mm caliber ammunition.
- d. One (1) black ski mask.

10. On April 15, 2025, ATF agents responded to assist PRPB with the investigation. ATF agents conducted a criminal justice database query that revealed that **ORTIZ-SANTA** has been convicted of a crime (felony) that is punishable by more than one year of imprisonment.

11. Criminal justice database records also show that **ORTIZ-SANTA** is currently serving a three-year state probation for violations of Article 404(b) of the Puerto Rico Controlled Substances Act.

12. ATF agents confirmed the conviction with **ORTIZ-SANTA's** State Probation Officer who stated that **ORTIZ-SANTA** began serving probation on February 13, 2025. Furthermore, the State Probation Officer stated that any arrest with firearms would be a violation of **ORTIZ-SANTA's** conditions for probation.

13. Furthermore, ATF agents examined the firearm previously described as Glock pistol, model 17 9x19, 9mm caliber, serial number MS375US, and observed that it had an automatic conversion device installed with a selector button, that protrudes from the slide (commonly known as a "CHIP"). Based on my training, knowledge and experience with ATF, this device on the Glock was not installed by the manufacturer and was placed on the firearm with the sole purpose of illegally modifying it to fire fully automatic, meaning that it could expel more than one shot, without manual reloading, by a single function of the trigger. The chip can be readily observed by anyone who loads, unloads, charges, cleans, or disassembles the firearm because there is a high contrast between the chip

and the slide of the firearm. A field functionality test conducted on the Glock pistol, serial MS375US, revealed that this firearm might be capable of firing fully automatic.

14. Further investigation also revealed that the firearm and ammunition seized was not manufactured in Puerto Rico. Therefore, it would have travelled in foreign or interstate commerce.

CONCLUSION

15. Based on the above facts, the undersigned affiant believes there is probable cause to charge **Shamil ORTIZ-SANTA** with violations of **Title 18, United States Code, § 922(g)(1) (Felon in Possession of a Firearm and Ammunition)** and **Title 18, United States Code, § 922(o) (Possession of a Machinegun)**.

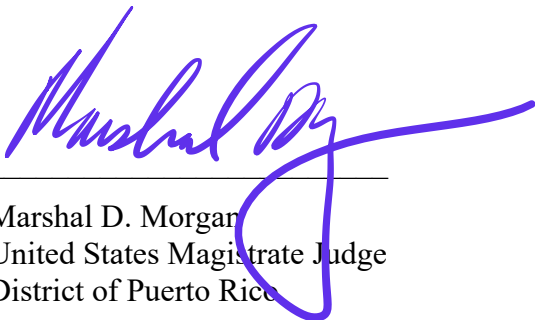
Affiant hereby declares that the foregoing is true and correct to the best of Affiant's knowledge pursuant to the investigation conducted in this matter.

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1

by telephone in San Juan, Puerto Rico on April **15th**, 2025.



Ivys J. Rosado-Diaz
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives (ATF)



Marshal D. Morgan
United States Magistrate Judge
District of Puerto Rico